

**In the United States District Court
For the Southern District of Texas
Houston Division**

United States District Court
Southern District of Texas
FILED

JUN 22 2009

Donald F. Jarrells,
Plaintiff §
§
§
§
§
vs §
§
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§
The Service Center, Ltd. and §
Randolph Musgrove, Gordan §
Musgrove, Richard Musgrove and §
Brian Goodwin, as agents of The §
Service Center, Ltd and individually §
Defendants §
§
Clerk of Court
Civil Action No. 4:09-cv-01752

**Joint Stipulation of Dismissal
as to
Defendant Employer Flexible HR, Inc.**

Plaintiff Donald F. Jarrells and Defendant Employer Flexible HR, Inc. file this Joint Stipulation of Dismissal under Federal Rule 41(a).

1. On June 10, 2009 Plaintiff filed with this Court his First Amended Petition. The First Amended Petition deletes all cause of action previously asserted against Defendant Employer Flexible HR, Inc.
 2. On June 10, 2009 Plaintiff also filed a Motion to Remand in which he expressly stated that he intended to discontinue all claims against Employer Flexible HR.
 3. Employer Flexible HR, Inc. joins in this stipulation, and requests that it be dismissed from the case.
 4. Plaintiff's dismissal of Employer Flexible HR, Inc. from this case is without prejudice.
 5. Plaintiff is dismissing only his claims against Employer Flexible HR, Inc. The claims against the other defendants remain, as stated in the First Amended Petition.
 6. Defendant Employer Flexible HR, Inc. removed this case to this Court. None of the Defendants have answered in this matter, and there are no counter claims or cross actions.
 7. Counsel for the remaining defendants does not oppose the dismissal of Employer Flexible HR.

Respectfully submitted:

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Certificate of Service

I hereby certify that on 6/22/09 I served all counsel of record with a copy of the above Joint Stipulation of Dismissal by certified mail, return receipt requested.

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